AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

LISTING OF CLAIMS:

1. (currently amended): A radio apparatus comprising:

receiving means for receiving a radio signal;

judging means for judging whether said apparatus ~~is capable of~~can determine~~ing~~ its position ~~information; and~~

~~setting means for setting a response hold state when said apparatus is incapable of determining its position information.~~

sending means for sending a message to a sender of said radio signal if said judging means judges that said apparatus cannot determine its position;

wherein said message comprises the position of the base station located nearest to said radio apparatus.

2. (canceled).

3. (currently amended): The radio apparatus as claimed in claim ~~2~~1, further comprising checking means for checking whether said radio signal includes ~~information indicating~~ a search request ~~for determining~~ requesting the position ~~information~~ of said radio apparatus.

4. (currently amended): The radio apparatus as claimed in claim ~~2~~1, further comprising storing means for storing said message.

5. (currently amended): The radio apparatus as claimed in claim ~~2~~1, wherein ~~said setting means sets a response hold state and~~ said sending means sends said message even if said radio apparatus ~~is capable of~~ can determine~~ing~~ its position ~~information~~.

6. (currently amended): The radio apparatus as claimed in claim 1, further comprising:

positioning means for determining ~~its~~ the position ~~information~~of said radio apparatus; ~~and~~

wherein if said judging means determines that said apparatus can determine its position, said positioning means determines the position of the radio apparatus and said sending means ~~for~~

~~sending the~~sends said position ~~result of said positioning means~~ to said~~a~~ sender of said radio signal.

7. (currently amended): The radio apparatus as claimed in claim ~~2~~1, wherein said message indicates that said radio apparatus ~~is incapable of~~cannot determine~~ing~~ its position ~~information~~.

8. (currently amended): The radio apparatus as claimed in claim 3, wherein said message indicates that said radio apparatus rejects said request ~~to determine~~for its position ~~information~~.

9. (currently amended): The radio apparatus as claimed in claim ~~4~~2, further comprising:

positioning means for determining the position of said radio apparatus;

wherein said storing means stores radio apparatus position at a time when said radio apparatus can determine its position; and

wherein said message ~~is~~ comprises the latest radio apparatus position ~~ing data of a plurality of radio apparatus positioning data~~stored in said storing means.

10. (canceled).

11. (original): The radio apparatus as claimed in claim 1, wherein said radio apparatus is a portable telephone.

12. (original): The radio apparatus as claimed in claim 4, wherein said radio apparatus receives radio signals from a plurality of senders, and said storing means stores a message for each one of the plurality of senders.

13. (original): The radio apparatus as claimed in claim 12, wherein at least one message stored in said storing means is different from another message stored in said storing means.

14. (currently amended): A radio apparatus comprising:

a receiver that receives a radio signal;

a positioning mechanism that judges whether said apparatus ~~is capable of~~can determine~~ing~~ its position ~~information~~; ~~and~~

~~a controller that sets a response hold state when said apparatus is incapable of determining its position information.~~

a transmitter that sends a message to a sender of said radio signal if said position mechanism determines that said apparatus cannot determine is positing information;

wherein said message comprises the position of the base station located nearest to said radio apparatus.

15. (canceled).

16. (currently amended): The radio apparatus as claimed in claim 14~~15~~, further comprising a receiver controller that checks whether said radio signal includes ~~information indicating~~ a search request ~~for determining~~ requesting the position ~~information~~ of said radio apparatus.

17. (currently amended): The radio apparatus as claimed in claim 14~~15~~, further comprising a memory that stores said message.

18. (currently amended): The radio apparatus as claimed in claim 14~~15~~, wherein ~~said controller sets a response hold state and~~ said transmitter sends said message even if said radio apparatus ~~is capable of~~can determine~~ing~~ its position ~~information~~.

19. (currently amended): The radio apparatus as claimed in claim 14, ~~further comprising:~~wherein:

if said positioning mechanism judges that said apparatus can determine its position,~~a~~ said positioning mechanism ~~that~~ also determines the position ~~information~~of said radio apparatus; and

said~~a~~ transmitter ~~that~~ sends ~~the result of~~ said position ~~ing mechanism~~ to ~~a~~ said sender of said radio signal.

20. (currently amended): The radio apparatus as claimed in claim 14~~15~~, wherein said message indicates that said apparatus ~~is incapable of~~cannot ~~determining~~ determine its position ~~information~~.

21. (currently amended): The radio apparatus as claimed in claim 16, wherein said message indicates that said apparatus rejects said request to ~~determine~~ for its position ~~information~~.

22. (currently amended): The radio apparatus as claimed in claim 17~~5~~, wherein said positioning mechanism is also for determining the position of said radio apparatus;

wherein said memory stores radio apparatus position at a time when said radio apparatus can determine its position, and

wherein said message ~~is~~ comprises the latest radio apparatus position~~ing data~~ stored in said memory~~of a plurality of radio apparatus positioning data~~.

23. (canceled).

24. (original): The radio apparatus as claimed in claim 14, wherein said radio apparatus is a portable telephone.

25. (currently amended): The radio apparatus as claimed in claim 17, wherein said radio apparatus receives radio signals from a plurality of senders, and said ~~storing means~~memory stores a message for each one of the plurality of senders.

26. (original): The radio apparatus as claimed in claim 25, wherein at least one message stored in said storing means is different from another message stored in said storing means.

27. (currently amended): A position search system including a first radio apparatus and a second apparatus, wherein said first radio apparatus comprises:

receiving means for receiving a radio signal from said second radio apparatus;

judging means for judging whether said first radio apparatus ~~is capable of~~can determine~~ing~~ its position ~~information~~; ~~and~~

~~setting means for setting a response hold state when said first radio apparatus is incapable of determining its position information.~~

sending means for sending a message to said second radio apparatus if said judging means judges that said first radio apparatus cannot determine its position;

wherein said message comprises the position of the base station located nearest to said radio apparatus.

28. (canceled).

29. (currently amended): The position search system as claimed in claim 27~~8~~, wherein said first radio apparatus further comprises checking means for checking whether said

radio signal includes ~~information indicating~~ a search request ~~for determining~~ requesting the position ~~information~~ of said first radio apparatus.

30. (currently amended): The position search system as claimed in claim 27~~8~~, wherein said first radio apparatus further comprises storing means for storing said message. ~~previously determined on the basis of said second radio apparatus~~.

31. (currently amended): The position search system as claimed in claim 27~~8~~, wherein said first radio apparatus ~~sets a response hold state and~~ sends said message to said second radio apparatus even if said first radio apparatus ~~is capable of~~can determine~~ing~~ its position ~~information~~.

32. (currently amended): The position search system as claimed in claim 27, wherein said first radio apparatus further comprises~~ing~~:

positioning means for said first radio apparatus to determine~~ing~~ its position ~~information~~; and

wherein if said judging means judges that said first radio apparatus can determine its position said, sending means for sends~~ing the result~~ said position determined by ~~of~~ said positioning means to said second radio apparatus.

33. (currently amended): The position search system as claimed in claim ~~28~~27, wherein said message indicates that said first radio apparatus ~~is incapable of~~cannot determine~~ing~~ its position ~~information~~.

34. (currently amended): The position search system as claimed in claim 29, wherein said message indicates that said first radio apparatus rejects said request ~~to determine~~for its position ~~information~~.

35. (currently amended): The position search system as claimed in claim ~~28~~30, further comprising:

positioning means for said first radio apparatus to determine its position;

wherein said storing means stores position of said first radio apparatus at a time when said first radio apparatus can determine its position, and

wherein said message ~~is~~ comprises the latest position~~ing~~ of said first radio apparatus ~~data of a plurality of radio apparatus positioning data~~stored in said storing means.

36. (canceled).

37. (original): The position search system as claimed in claim 27, at least one of said first radio apparatus and said second radio apparatus are portable telephones.

38. (original): The radio apparatus as claimed in claim 30, wherein said radio apparatus receives radio signals from a plurality of senders, and said storing means stores a message for each one of the plurality of senders.

39. (original): The radio apparatus as claimed in claim 38, wherein at least one message stored in said storing means is different from another message stored in said storing means.

40. (currently amended): A position search method for searching a position of a radio apparatus, said method comprises:

receiving a radio signal;

judging whether said radio apparatus ~~is capable of~~can determin~~e~~ing its position ~~information; and~~

~~moving to a response hold state when said radio apparatus is incapable of determining its position information.~~

sending a message to a sender of said radio signal if said radio apparatus cannot determine its position;

wherein said message comprises the position of the base station located nearest to said radio apparatus.

41. (canceled).

42. (currently amended): The position search method as claimed in claim 40~~1~~, wherein said method further comprises checking whether said radio signal includes ~~information indicating~~ a search request ~~for determining~~ requesting the position ~~information~~ of said radio apparatus.

43. (currently amended): The position search method as claimed in claim 40~~1~~, wherein said method further comprises storing said message.

44. (currently amended): The position search method as claimed in claim 40, wherein said method further comprises:

~~moving to a response hold state~~ sending said message even when said radio apparatus ~~is capable of~~ can determine~~ing~~ its position ~~information.; and~~

~~sending a message to a sender of said radio signal.~~

45. (currently amended): The position search method as claimed in claim 40, wherein said method further comprises:

if it is judged that said radio apparatus can determine its position, determining ~~its~~ the position ~~information~~ of said radio apparatus~~;~~ and sending the position~~ing result~~ to a sender of said radio signal.

46. (original): The position search method as claimed in claim 40, wherein said radio apparatus is a portable telephone.

47. (original): The radio apparatus as claimed in claim 43, wherein said radio apparatus receives radio signals from a plurality of senders, and said storing means stores a message for each one of the plurality of senders.

48. (original): The radio apparatus as claimed in claim 47, wherein at least one message stored in said storing means is different from another message stored in said storing means.

49. (new): The radio apparatus as claimed in claim 4, further comprising:

setting means for setting a response hold state if said judging means determines that said radio apparatus cannot determine its position;

identification means for checking the identification of the sender of said radio signal after said response hold state is set; and

reading means for reading the message stored in said storing means after said response hold state is set;

wherein after said message is read from said storing means, said response hold state ends and said sending means sends said message.

50. (new): The radio apparatus as claimed in claim 49, wherein said setting means sets said response hold state even if said judging means determines that said radio apparatus can determine its position.

51. (new): The radio apparatus as claimed in claim 17, further comprising:

a controller that sets a response hold state if said positioning mechanism judges that said radio apparatus cannot determine its position;

identification means that checks the identification information of the sender of said radio signal after said response hold state is set; and

reading means that reads the message stored in said memory after said response hold state is set;

wherein after said message is read from said storing means, said response hold state ends and said transmitter sends said message.

52. (new): The radio apparatus as claimed in claim 51, wherein said controller sets said response hold state even if said positioning mechanism judges that said radio apparatus can determine its position.

53. (new): The position search system as claimed in claim 30, further comprising:

setting means for setting a response hold state if said judging means determines that said first radio apparatus cannot determine its position;

identification means for checking the identification information of the sender of said radio signal after said response hold state is set; and

reading means for reading the message stored in said storing means after said response hold state is set;

wherein after said message is read from said storing means, said response hold state ends and said sending means sends said message.

54. (new): The position search system as claimed in claim 53, wherein said setting means sets said response hold state even if said judging means determines that said first radio apparatus can determine its position.

55. (new): The position search method as claimed in claim 43, further comprising:

setting a response hold state if it is judged that said radio apparatus cannot determine its position;

checking the identification information of the sender of said radio signal after said response hold state is set; and

reading the stored message after said response hold state is set;

ending said response hold state after said stored message is read and sending said message.

56. (new): The position search method as claimed in claim 55, wherein said response hold state is set even if it is judged that said radio apparatus can determine its position.